



Eric Gonzalez
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[INSERT NAME]
Assistant District Attorney

[INSERT DATE]

[INSERT D/C INFO]

Re: [INSERT CASE NAME]
Kings County Dkt./Ind. No. [#####]

In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: ELIJAH AUSTIN

MOS TAX: [REDACTED]

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS AUSTIN ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES ARISING FROM AN INCIDENT ON OR ABOUT AUGUST 6, 2010, WHILE THE MOS WAS ASSIGNED TO THE 79TH PRECINCT AND ON DUTY:

1. MOS AUSTIN, DID FAIL TO PROVIDE HIS NAME AND SHIELD WHEN REQUESTED.
2. MOS AUSTIN, WAS DISCOURTEOUS TO AN INDIVIDUAL KNOWN TO THE DEPARTMENT, TO WIT: SAID INDIVIDUAL APPROACHED MOS AUSTIN WHO WAS INTERROGATING SAID INDIVIDUAL'S HUSBAND, FOLLOWING A CAR STOP AND MOS AUSTIN STATED IN SUM AND SUBSTANCE TO SAID INDIVIDUAL: "STAY OVER THERE AND MIND YOUR FUCKING BUSINESS."
3. MOS AUSTIN, DID FAIL TO WEAR HIS SHIELD ON AN OUTER GARMENT WHILE PRESENT AT A POLICE INCIDENT AS REQUIRED.

CASE STATUS: CLOSED ON 11/26/12

ACTION TAKEN: FORFEITURE OF TEN (10) VACATION DAYS.

Disclosure # 2:

MOS AUSTIN ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENTAL CHARGES ARISING FROM AN INCIDENT ON OR ABOUT NOVEMBER 12, 2010 AT A LOCATION KNOWN TO THE DEPARTMENT, WHILE MOS AUSTIN WAS ASSIGNED TO THE 79TH PRECINCT AND OFF-DUTY:

1. MOS AUSTIN, BECAME AWARE OF A PURPORTED ALLEGATION OF CORRUPTION OR POSSIBLE SERIOUS MISCONDUCT INVOLVING A MEMBER OF THE SERVICE, TO WIT: MOS AUSTIN BECAME AWARE THAT A FELLOW OFFICER WAS INVOLVED IN A PHYSICAL ALTERCATION INSIDE SAID LOCATION KNOWN TO THE DEPARTMENT AND DID THEREAFTER FAIL AND NEGLECT TO NOTIFY THE INTERNAL AFFAIRS BUREAU AND/ OR HIS COMMANDING OFFICER, AS REQUIRED.
2. MOS AUSTIN, DID WRONGFULLY ENGAGE IN CONDUCT PREJUDICIAL TO THE GOOD ORDER EFFICIENCY AND DISCIPLINE OF THE DEPARTMENT, TO WIT: WHILE PRESENT AT AN OFF-DUTY POLICE INCIDENT, SAID MOS FAILED TO IDENTIFY HIMSELF AS A MEMBER OF THE SERVICE TO RESPONDING OFFICERS.

CASE STATUS: CLOSED ON 07/08/11

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION(S), DATED SEPTEMBER 19, 2015, AGAINST MOS AUSTIN:

1. MOS AUSTIN IMPROPERLY STOPPED AN INDIVIDUAL KNOWN TO THE DEPARTMENT IN VIOLATION OF PATROL GUIDE PROCEDURE.
2. MOS AUSTIN, IMPROPERLY FRISKED AN INDIVIDUAL KNOWN TO THE DEPARTMENT IN VIOALTION OF PATROL GUIDE PROCEDURE.
3. MOS AUSTIN, FAILED TO MAKE ACTIVITY LOG ENTRIES REGARDING THIS ENCOUNTER WHICH LED TO THE ABOVE ALLEGATIONS, IN VIOLATION OF PATROL GUIDE PROCEDURE.
4. MOS AUSTIN, FAILED TO PREPARE A UF-250 REGARDING THE AFOREMENTIONED STOP, IN VIOLATION OF PATROL GUIDE PROCEDURE.

CASE STATUS: CLOSED ON 02/16/17

ACTION TAKEN: MOS AUSTIN WARNED AND ADMONISHED. IN ADDITION, MOS AUSTIN RECEIVED SCHEDULE B COMMAND DISCIPLINE.

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH OCTOBER 13, 2020, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 4:

CCRB # 201010737

Report Date: 08/06/2010

Incident Date: 08/06/2010

CCRB Substantiated Allegations:

1. Abuse - Refusal to provide name/shield number
2. Abuse - Threat of force (verbal or physical)
3. Discourtesy – Word

NYPD: Disposition: # 1 Plead Guilty- DCT; #2 No Disciplinary Action-DUP; #3 Plead Guilty DCT

Action Taken: MOS forfeited 10 Vacation days

Disclosure # 5:

CCRB Case: 201507945

Report Date: 09/20/2015

Incident Date: 09/19/2015

CCRB Substantiated Allegations:

1. Abuse - Frisk
2. Abuse - Stop

Other Misconduct Noted:

1. Failure to prepare memo book entry
2. Failure to produce stop and frisk report

NYPD Disposition: Allegations #1, #2, and #3: Command Discipline – B

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